



**“Working with South Dakota’s best resource: *People*”**

# ***EMPLOYEE HANDBOOK***

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# ***Handbook Disclaimer***

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This handbook is intended to provide general information to state employees. The policies and information described in this handbook are not conditions of employment, and the language is not intended to, nor does it, create a contract between the State and the employee. The State reserves the right to change or eliminate any of the policies or information in this manual at its discretion with or without notice. Also, some of the statements in this handbook are general in nature and should not be read as including all the details on the subject discussed. The State reserves the right to discipline status employees in accordance with the state laws and rules and to discipline all other employees (who are at-will employees) at any time and for any reason.

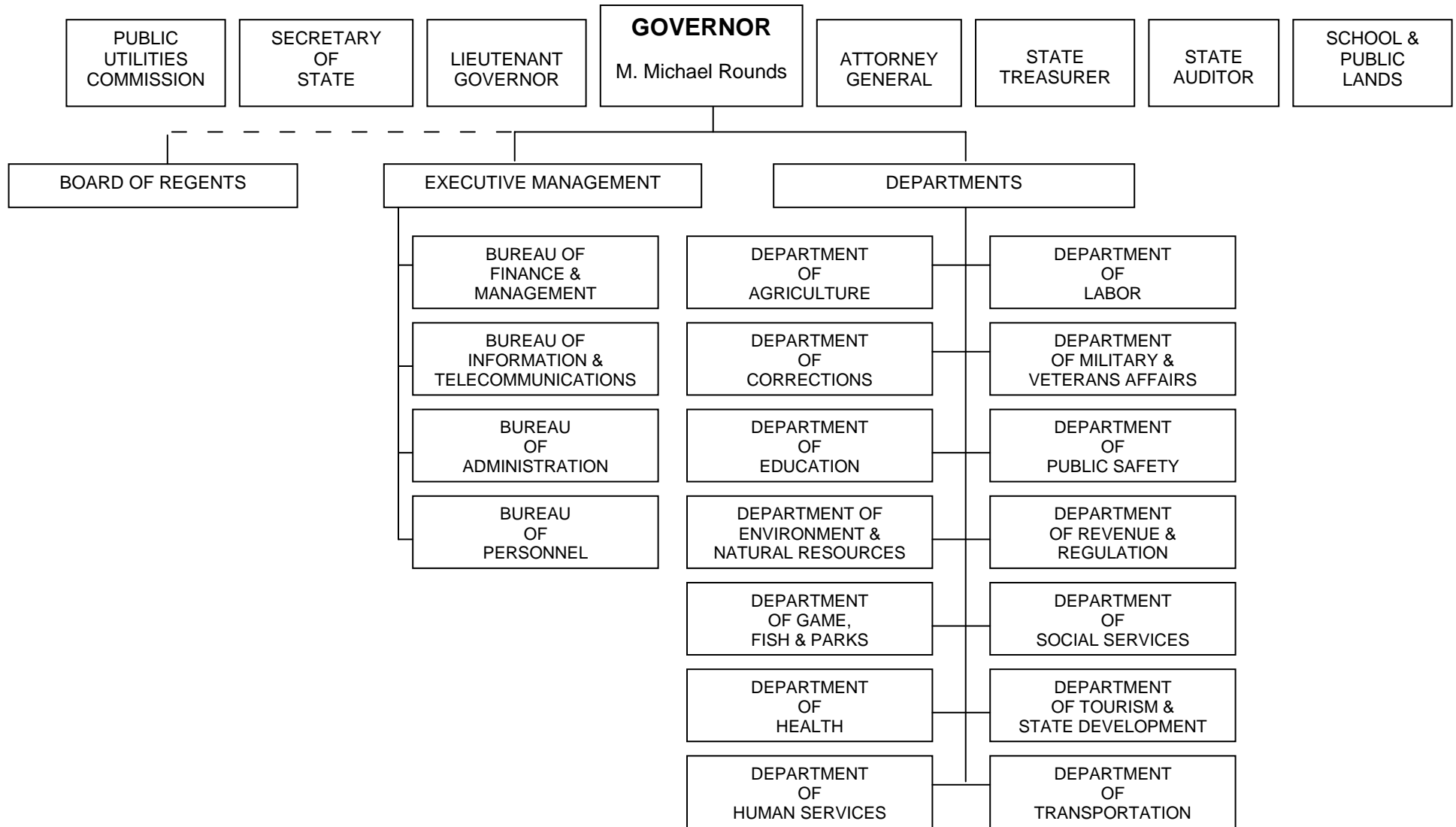
Any employee handbook or manuals previously distributed by the Bureau of Personnel are revoked and rescinded, and the provisions are null and void.

This handbook is not an exhaustive list of all employee obligations. In addition to the handbook, employees must also abide by federal and state laws, regulations, and rules as well as other statewide and internal agency orders, policies, guidelines, directives, and instructions.

If you have questions about the employee handbook or this disclaimer, please contact your personnel representative.

The State of South Dakota Employee Handbook is updated regularly by the Bureau of Personnel. To receive or review a current copy of the handbook, please contact your personnel representative at the Bureau of Personnel or access the handbook on the Bureau of Personnel's Intranet website.

# Government Organizational Chart



# ***Executive Branch Agencies***

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The three branches of state government include the Legislative Branch, the Judicial Branch, and the Executive Branch. The Executive Branch includes eight elected officials, the lieutenant governor, and the governor. The governor has decision-making authority over the Offices of Executive Management and 14 departments (see chart on page 3).

## **OFFICES OF ELECTED OFFICIALS**

**Public Utilities Commission** - regulates facilities, services, operations, and rates on telephones and utilities in the state.

**Secretary of State** - provides assistance with all federal, state, and local elections; completes and records all public state documents; and administers corporate and Uniform Commercial Code functions.

**Attorney General** - as the state's legal counsel, this office represents the state by issuing official legal opinions, investigating consumer complaints, and directing the Division of Criminal Investigation.

**State Treasurer** - monitors and safely keeps all moneys that are paid to the state treasury; responsible for filing all transactions and reporting the state's indebtedness. In collaboration with the State Auditor, the Treasurer disperses state funds.

**State Auditor** - administers state employee payroll, records and monitors all fund balances, and submits reports to the governor on the state's financial condition.

**School and Public Lands** - manages school and endowment lands and trust funds owned by the state for the support of public schools and state institutions.

## **OFFICE OF EXECUTIVE MANAGEMENT**

**Bureau of Administration (BOA)** - provides administrative, engineering, and non-technical services to support the operation of other departments. These services include Buildings & Grounds, Central Supply, Central Duplicating, Central Mail, Fleet and Travel Management, Surplus Property, Purchasing, Space Management, Contract Management, Construction Supervision, Records Management, the Office of Hearing Examiners, Federal Surplus Property, the State Engineer's Office and the Office of Risk Management.

**Bureau of Finance and Management (BFM)** - advises the Governor on the overall fiscal policy; completes and presents the annual fiscal plan; and manages the central accounting and payroll systems. The functions performed by bureau staff fall into four categories--budget analysis, executive management finance office, financial compliance, and financial systems.

## ***Executive Branch Agencies (cont.)***

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**Bureau of Information and Telecommunications (BIT)** - manages state government information technology and public broadcasting. BIT runs enterprise-computing facilities via the Data Center; maintains local and wide area voice, data and video networks via the Telecommunications Division; develops information systems via the Development Division; and broadcasts over TV, radio, and the Internet via SDPB.

**Bureau of Personnel (BOP)** - administers the human resources management system for the State of South Dakota and its employees. This includes recruitment and selection, job analysis, training for all employees, payroll, compensation, and employee benefits.

### **DEPARTMENTS**

**Department of Agriculture (DOA)** - promotes and enhances the state's agricultural industry by improving the quality of agricultural products and resources as well as rural life in South Dakota.

**Department of Corrections (DOC)** - provides the necessary custody, care, and supervision of juvenile and adult offenders for the protection of the citizens of South Dakota, and oversees the operations of the state's adult prisons, juvenile correctional facilities, adult parole, and juvenile aftercare.

**Department of Education (DOE)** - oversees and coordinates public K-12 education and postsecondary technical education, serves as an advocate for life-long learning, provides services to local schools and libraries, and provides direct service to blind and visually-impaired citizens. The State Library and all K-12/postsecondary vocational-technical education offices are included in this agency.

**Department of Environment and Natural Resources (DENR)** - manages the allocation, utilization, development, and quality of the state's water resources; promotes and regulates mineral, oil, and gas exploration and production; and works to maintain and enhance the quality of the environment.

**Department of Game, Fish, and Parks (GFP)** - protects and improves the quality of the state's natural environment to provide a variety of recreational opportunities, maintains the state's wildlife, regulates hunting and fishing, and develops and maintains outdoor recreational facilities and state parks.

**Department of Health (DOH)** - promotes the general health of the public by ensuring access to quality health care, coordinating the delivery of health services, working to prevent and control communicable diseases, providing inspection and certifications of facilities, and coordinating public health preparedness and response efforts.

## ***Executive Branch Agencies (cont.)***

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**Department of Human Services (DHS)** – promotes the highest level of independence for all individuals regardless of disability or disorder. DHS includes the following Divisions/Facilities: Alcohol and Drug Abuse, Developmental Disabilities, Human Services Center in Yankton, Mental Health, Rehabilitation Services, Services to the Blind and Visually Impaired, and South Dakota Developmental Center in Redfield.

**Department of Labor (DOL)** - provides staffing assistance for employers; aides people who are seeking employment; ensures fair employment practices; and handles human rights issues, unemployment insurance, workers' compensation, and labor contract mediations. The DOL also has oversight of the Board of Accountancy, Board of Barber Examiners, Cosmetology Commission, Electrical Commission, Plumbing Commission, and Technical Professions.

**Department of Military and Veterans' Affairs (MVA)** - Adjutant General commands the Army and Air National Guard of South Dakota, which provides trained and ready forces for the Active Military in times of national emergency. The National Guard also assists local and state government during periods of disaster, civil disturbances, and other emergencies. The Division of Veterans Affairs aids veterans in the processing and payment of claims. The Department manages the Michael J. Fitzmaurice South Dakota Veterans' Home in Hot Springs.

**Department of Public Safety (DPS)** - keeps South Dakota a safe place to live, work, visit, and raise a family.

**Department of Revenue and Regulation (DRR)** – collects and administers taxes and license fees levied by the state and local governments, ensures that taxpayers are in compliance with South Dakota tax laws, provides manages and operates secure instant match, video lottery and lotto games to generate revenue for the state's general fund.

**Department of Social Services (DSS)** – administers social, financial, and medical services to help South Dakotans who are disadvantaged because of income, physical or mental conditions, or their status in society.

**Department of Tourism and State Development** – promotes tourism, economic development, state tribal relations, and cultural events; leverages governmental resources in areas such as education, agriculture, and health to create opportunities and provide assistance for true growth; and improves our state's economic and cultural opportunities to attract and retain residents.

**Department of Transportation (DOT)** - provides an effective and efficient transportation system to satisfy diverse mobility needs while retaining concern for safety and the environment. DOT economically and effectively utilizes personnel and other resources to accomplish maintenance activities and manage construction projects on roads, bridges, and airports across South Dakota in a manner that is considerate of the safety and convenience of the traveling public.

# ***Equal Employment Opportunity***

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The State of South Dakota is an equal opportunity employer. Equal employment opportunities will be provided to all employees in all conditions of employment. Discrimination on the basis of race, color, creed, religion, sex, ancestry, national origin, age (40 years of age or older), disability, or, for career service employees, political affiliation, is prohibited. If an employee believes he or she has been denied equal opportunity or discriminated against, the employee should immediately notify his or her supervisor and **personnel representative** and has the right to file a grievance on the basis of discrimination.

## ***Types of Positions***

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Your job is classified as one of the following types of positions:

- A. **Probationary** - new employees appointed to Career Service positions who have not completed their probationary period. For more information about the probationary period, see [below](#).
- B. **Career Service or Status** - employees appointed to Career Service positions who have completed their probationary period. The positions are covered by the provisions of the Career Service Act (SDCL 3-6A).
- C. **Exempt** - positions that are excluded from the provisions of SDCL 3-6A.
- D. **Temporary** - positions that are temporary or seasonal in nature. This type of position does not receive benefits.

Employees in probationary, exempt, and temporary positions are at will employees and may be terminated for any reason at any time.

## ***Probationary Period***

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Career Service employees must serve a probationary period. The probationary period lasts for the first 1,040 regular hours of work, excluding overtime. This normally amounts to six months for full-time employees who have not taken leave without pay during the probationary period. During the probationary period, you do accumulate vacation and sick leave. You may use your accumulated sick leave as needed, but you may not use vacation leave for six months. You are not eligible for payment of vacation leave if you leave employment before completing six months of service.

During the probationary period, you are an at will employee who can be dismissed for any reason, at any time. Your only right to appeal a termination during the probationary period is on the basis of a prohibited form of discrimination. Following successful completion of your probationary period, you achieve Career Service status. For additional information, contact your personnel representative.

# *Leaves of Absence*

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## **Vacation Leave**

As a full-time employee, you will accumulate leave credits of 5 hours per semimonthly pay period and may accumulate a maximum of 240 hours. When you have completed 15 years of service, you receive 6.6667 hours of leave per semimonthly pay period and may accumulate a maximum of 320 hours. Vacation leave may be granted for vacation leave or to supplement other leaves of absence.

New employees may not use vacation leave until six months of service have been completed. If you work less than 40 hours in a week or take leave without pay, the number of leave credits earned is reduced in proportion to the number of hours worked. Upon retirement or resignation, state employees with six months of continuous service will be paid for accumulated vacation leave.

## **Sick Leave**

Full-time employees earn 4.6667 hours of sick leave each semimonthly pay period. There is no limit to the number of hours you can accumulate. Sick leave may be granted for personal illness or disability, pregnancy, exposure to a contagious disease that would endanger the health of coworkers, eye or dental care, required medical examinations, counseling or treatment at approved centers for alcohol or drug abuse, or psychiatric care.

If you work less than 40 hours or take leave without pay, the number of sick leave credits earned will be reduced in proportion to the number of hours worked. The Commissioner of the Bureau of Personnel and your department secretary, bureau commissioner, or institution administrator have the authority to investigate suspected misuse of sick leave. If you are guilty of misuse of sick leave, the time off will be charged to leave without pay. Misuse of sick leave may be cause for disciplinary action.

## **General provisions for the accumulation and use of vacation and sick leave:**

- If employment is terminated during your first six months, you will not be paid for your accrued vacation leave.
- You cannot use more vacation leave than you have accumulated.
- Requests for leave other than sick leave must be approved by your immediate supervisor prior to your departure time.
- If you are ill, you must notify your supervisor prior to the start of your work shift.
- The amount of time you are absent from your job without prior authorization or notification will be considered absence without leave. You will not be paid for that time. Unauthorized or unreported absences may be cause for disciplinary action.
- When you are terminating employment and are on vacation leave, you cannot use other types of leave.
- Upon an employee's resignation/retirement/layoff from employment, one-fourth of accumulated sick leave (up to 480 hours) will be paid to employees who have worked for the state continuously for at least seven years. The accumulated leave is paid at the rate of pay as of the employee's last day on payroll.

## ***Leaves of Absence (cont.)***

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### **Personal Leave**

If necessary, you may use up to 40 hours per year of accumulated sick leave for personal leave. The leave may be used for:

- a death in the immediate family (which is defined as your father, mother, spouse, children, mother-in-law, father-in-law, son-in-law, daughter-in-law, brothers, sisters, grandparents, grandchildren, stepchildren, stepparents, or foster children);
- the temporary care of members of the immediate family;
- the birth or adoption of a child; and
- a call to state active duty of military reserve or National Guard members.

### **Family and Medical Leave Act (FMLA)**

State administrative rules and the Federal Family and Medical Leave Act of 1993 provide eligible employees with up to 12 weeks of unpaid, job-protected family and medical (FMLA) leave during a calendar year for certain family and medical reasons. Employees are eligible if they have worked for at least one year and for 1,250 hours over the previous 12 months.

#### Reasons for Taking Leave:

FMLA leave must be granted for any of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care (this leave must conclude within 12 months of the birth or placement);
- to care for the employee's spouse, son or daughter (who is under eighteen years old, unless the son or daughter is not capable of self-care due to mental or physical disability), or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

#### Paid Versus Unpaid Leave

Employees may substitute eligible paid leave for unpaid leave during the FMLA period. To use paid leave during the FMLA period, the employee must meet all the leave requirements of that particular paid leave. For example, sick leave can only be used for the employee's *own* illness. The state requires employees to use eligible paid leave before utilizing unpaid leave during the FMLA period. If the employee exhausts his or her eligible paid leave, then the remainder of the FMLA period is unpaid.

#### Advance Notice and Medical Certification:

Employees are required to provide advance leave notice and medical certification. Taking of leave may be denied or delayed if requirements are not met. The employee ordinarily must provide 30 days advance notice when the leave is foreseeable. In other circumstances, the notice must be given as soon as practicable.

- The State may require medical certification to support a request for leave because of a serious health condition, second or third opinions, periodic recertification, periodic reports regarding the employee's status and intent to return to work, and a fitness for duty report to return to work. Failure to provide this information may result in disciplinary action.

## ***Leaves of Absence (cont.)***

### **Job Benefits and Protection:**

- During FMLA leave, the state will maintain the employee's benefits coverage (such as health, life, and flexible benefits) at the same cost to the employee. The employee must pay his or her share of premiums, and, if the employee fails to pay the premium, coverage will cease. If the employee is on leave without pay, the employee must contact the Bureau of Personnel Benefits Program to make arrangements for the timely payment of premiums.
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- The state may recover its share of insurance premiums if the employee fails to return after taking leave under certain circumstances.

### **Failure to Return to Work:**

If an employee fails to return to work after FMLA leave is exhausted, the employee may be subject to disciplinary action or termination due to inability to perform the essential functions of the job.

### **Court and Jury Leave**

In some instances, employees may receive court and jury leave for time spent testifying in court or serving on a jury. The Court and Jury Leave Policy found in the policy section of the handbook explains court and jury leave in more detail.

### **Military Training Leave**

Permanent employees are entitled to Military Training Leave of up to 15 days per calendar year. Employees requesting military leave for training must obtain a written order from the commander of their reserve or National Guard unit indicating dates of the training period. This notice is to be submitted to your supervisor at least 15 calendar days prior to the date of your departure for training.

### **Leave of Absence Without Pay**

Prior permission must be obtained from your supervisor to take a leave of absence without pay. While on leave without pay, you will not accumulate leave credits and you must make provisions to pay for your voluntary payroll deductions.

### **Absence Without Leave**

Unauthorized and unreported absences may result in a deduction of pay and may be cause for disciplinary action. You must report the reason for any absence to your supervisor as soon as possible.

### **Alternative Work Schedule**

Alternative work schedules enable managers and supervisors to meet their program goals while at the same time, allowing employees more flexibility in scheduling their personal activities. Within guidelines, it is the policy of the state to provide employees the opportunity to request the hours of work that suit their individual needs. Alternative work schedules include flexible work schedules and reduced work schedules.

# Holidays

All employees in permanent positions in state government receive their regular pay for ten legal holidays plus any other day proclaimed as a holiday by the Governor of South Dakota or the President of the United States. The State of South Dakota recognizes the following holidays:

<b>New Year's Day</b> .....	January 1
<b>Martin Luther King, Jr. Day</b> .....	third Monday in January
<b>Presidents' Day</b> .....	third Monday in February
<b>Memorial Day</b> .....	last Monday in May
<b>Independence Day</b> .....	July 4
<b>Labor Day</b> .....	first Monday in September
<b>Native Americans Day</b> .....	second Monday in October
<b>Veterans Day</b> .....	November 11
<b>Thanksgiving</b> .....	fourth Thursday in November
<b>Christmas</b> .....	December 25

If a holiday from the list falls on a Saturday, the preceding Friday is observed as the paid holiday. If a holiday falls on a Sunday, it is observed on the following Monday. Holiday pay is prorated based on hours worked for employees who are working less than full-time. For information about holiday pay provisions, contact your personnel representative.

## Employee/Manager Service Center (SEA-Self Evident Applications)

### Self-Service Applications

A self-service website for employees on Central Payroll is available at [www.state.sd.us/ess](http://www.state.sd.us/ess). Employees have the ability to view earnings statements, leave balances and usage transactions, Performance, Planning and Review (PPAR) history and other payroll employee information. SEA also allows employees to take an active role in maintaining some of their own information on the payroll system like home address, emergency contacts, federal tax withholding, and direct deposit information. Links to other websites, for example South Dakota Retirement System's retirement calculator, BOPweb for benefits information, employee reimbursements for travel reimbursement information, and the BOP intranet for information like training opportunities and current state job listings are also available.

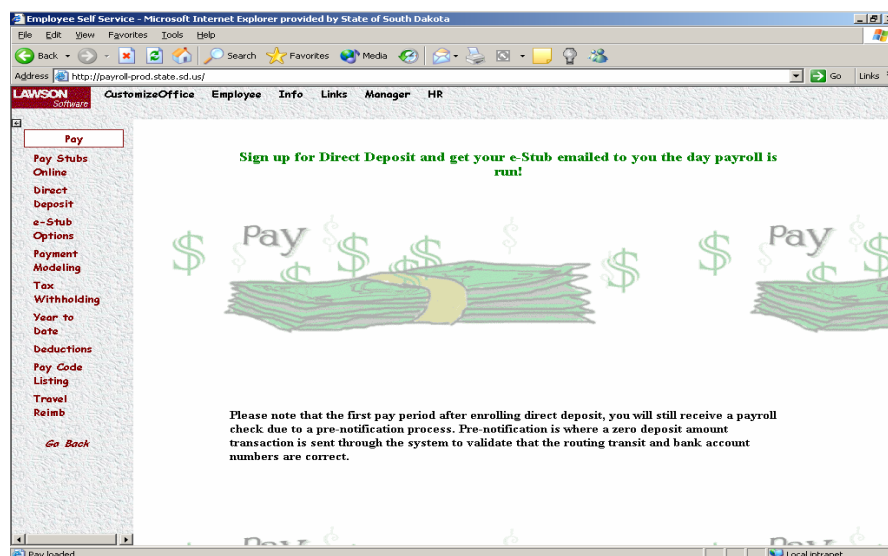
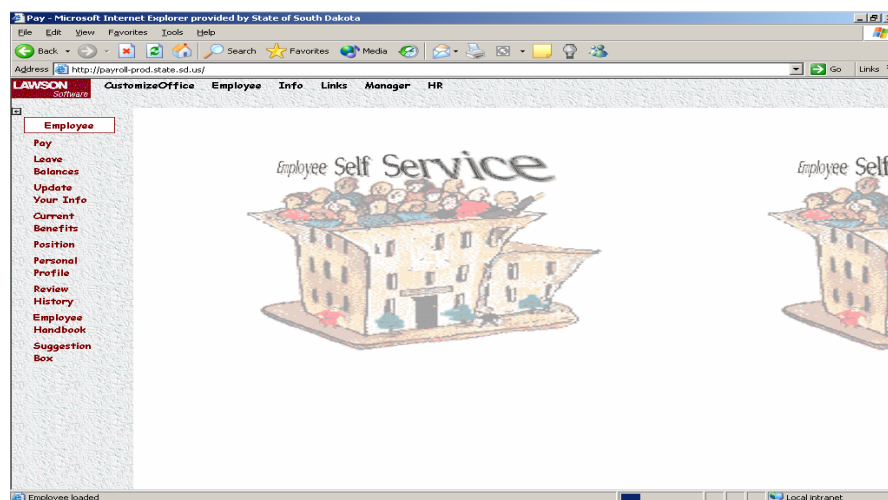
SEA is a quick, easy, and secure way to ensure the HR/payroll employee information is accurate and meets employees' wishes. This website will continue to be developed to increase services and applications available to employees.

# Employee/Manager Service Center (cont.)

## (SEA-Self Evident Applications)

To access this site, you must enter your user id (employee number) and password. Your password is initially set to the last four digits of your social security number and the month (mm) and day (dd) of your birth, creating an eight (8)-digit number. You have the ability to change your password after you log into the system. If you forget your password, you can contact your BOP representative and request to have your password re-set to the initial password. For more information on Employee/Manager Service Center, contact your personnel representative.

The two screens illustrated below are the Employee self-service center and the menu shown to an employee when “pay” is selected. From the menus, various applications and services are offered to the employee for viewing or updating.




# Employee/Manager Service Center (cont.)

(SEA-Self Evident Applications)

## Paychecks

You may elect to receive an electronic pay stub if you use direct deposit. The e-Stub can be sent to your work or home email address or both if you choose. You must elect 100% paperless direct deposit to choose the e-Stub option. All negotiable warrants will be printed.

This is an example of a pay check e-Stub:

		Payment No. 99999999	
		Payment Date: 01/01/2000	
PAY TO <b>Last, First M</b> <b>\$1592.91</b> THE ORDER OF <b>NON-NEGOTIABLE</b>			
<i>This e-mail is notification that the above payment will be deposited in your account(s) on the date specified.</i>			
<a href="#">HR Contact List</a>	<a href="#">SEA Manager/Employee Service Center</a>	<a href="#">e-Stub FAQ</a>	
<b>EMPLOYEE NAME</b>	<b>EMP #</b>	<b>DEPT</b>	<b>PERIOD END</b>
Last, First M	999999	XXX-0000	01/01/2000
		<b>ANN SAL</b>	\$55423.89
<b>AUTO DEPOSIT DISTRIBUTIONS</b>			
<b>BANK ACCOUNT</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	
XXXXXX1234	BANKWEST	\$942.91	
XXXXXX9876	FIXED ACH	\$650.00	
<b>EARNINGS</b>			
	<b>HOURS</b>	<b>CURRENT</b>	<b>YTD</b>
Regular	72.00	\$1918.53	\$43509.30
Other	8.00	\$213.17	\$1984.75
Longevit	0.00	\$0.00	\$140.00
Vacation	0.00	\$0.00	\$2727.74
Total Gross	80.00	\$2131.70	\$48361.79
Taxable Wages		\$2003.80	\$45729.15
Total Deductions		\$538.79	\$11915.65
Total Net		\$1592.91	\$36446.14
<b>TIME ACCRUAL PLANS</b>			
<b>PLAN NAME</b>	<b>EARNED</b>	<b>BALANCE</b>	
Personal	0.0000	40.0000	
Sick	4.3077	1211.8105	
Vacation	4.6154	233.5386	
<b>TAXES/DEDUCTIONS</b>			
	<b>Type</b>	<b>CURRENT</b>	<b>YTD</b>
FIT	Tax	\$242.81	\$5478.30
Med EE	Tax	\$30.91	\$701.26
Soc Sec	Tax	\$132.17	\$2998.45
HI/Lf-ER	State Paid	\$169.09	\$3778.70
Med ER	State Paid	\$30.91	\$701.26
Retire	State Paid	\$127.90	\$2632.64
UI	State Paid	\$2.13	\$27.59
Soc Sec	State Paid	\$132.17	\$2998.45
W Comp	State Paid	\$0.85	\$8.56
Retire	Deduc	\$127.90	\$2632.64
United W	Deduc	\$5.00	\$105.00

# *Compensation*

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A pay grade is established for each job classification. It indicates the range of pay for the position, including a minimum and a maximum.

## **Overtime Pay**

Overtime is paid in accordance with the state overtime policy and federal and state law. Your personnel representative will inform you if you are eligible for overtime pay.

## **Holiday Pay**

Any employee in a permanent position who must work during a state holiday will be compensated in accordance with the department's holiday pay policy. Your personnel representative can inform you of the appropriate holiday pay policy.

## **Longevity Pay**

Longevity pay is a reward for years of service to the State of South Dakota. It is a way to recognize experienced and dedicated state employees. Longevity pay is based on the total number of years worked for the state. The years of service need not be continuous. Employees with seven through ten years of service receive a \$100 longevity check once per fiscal year. The rate increases by \$5 per year in five-year increments.

For example, for years 11 through 14, the amount is \$10 times the years of service. For 15 through 19 years of service, the amount is \$15 times the years of service. [e.g. an employee with 14 years of service will receive \$140 ( $\$10 \times 14$  years) longevity payment (minus deductions), and an employee who serves for 22 years will receive a \$440 ( $\$20 \times 22$  years) longevity payment (minus deductions).]

## **Longevity Pins**

For ten or more total years of service, employees receive a lapel pin of the great seal of South Dakota. Pins are awarded at five-year increments: 10, 15, 20, 25, 30, and 35 years. In addition, employees with 30 years of service will receive a wall plaque.

## **Workers' Compensation**

If you are injured or contract a disease as a result of and/or in the course of your employment, you must report it as soon as possible. Within three business days of occurrence, you must report in writing the circumstance of the injury or disease to your supervisor as well as to the person responsible for filing the Employer's First Report of Injury. Then, within seven days, not counting Sundays and legal holidays, after the employer has knowledge of the occurrence of an injury, the Employer's First Report of Injury must be filed with the Workers' Compensation Program at the Bureau of Personnel. Failure by the employee to file the claim on time may result in denial of the claim. You should keep in contact with your personnel representative to ensure a claim is properly filed.

# ***Health, Life, and Flexible Benefits***

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All employees in permanent positions of the State of South Dakota with the exception of employees who work less than 20 hours per week are covered by the State Group Health, Life, and Flexible Benefit Plans. Covered employees' dependents are also eligible for the coverage at the employees' expense and may be included under one of the plan options. Employees may choose to Opt-Out of the State Health Plan if proof of coverage under another group health plan is provided.

PLEASE NOTE: The following summary information on insurance and flexible benefits is accurate for the period beginning July 1, 2007, and ending June 30, 2008. For information on any benefits changes, contact your personnel representative.

## **Health Benefits**

The main components of the State Health Plan are as follows:

1. The state plan is based on the premise of medical necessity. Employees are expected to take good care of their own health. However, in the event of injury or illness, the plan is available to offset major diagnostic and treatment costs. The plan does not cover routine or sports physicals.
2. Employees have a choice of participating in the Provider Network Plan, \$1,000 Deductible Plan (\$1,000 per person or \$2,500 per family of three or more), or the \$2,000 Deductible HSA Compatible Plan (\$2,000 per person or \$4,000 per family of three or more). Each plan is employer-paid; however, the employee will pay a tobacco-user fee if the employee and/or covered spouse use tobacco products.
3. Coinsurance is the percentage of covered charges paid by the employee after the deductible is satisfied. If the employee or dependent visits a DAKOTACARE provider, the plan pays 75% of the maximum allowable charges for most expenses and the employee pays 25%. For services provided by a non-DAKOTACARE provider, the employee paid coinsurance amount increases to 35% of covered charges.
4. Each member is eligible for up to \$1,000,000 in health benefits during his/her lifetime.
5. Dependents may receive essentially the same coverage as employees through proper enrollment. Dependent coverage is paid by the employee.

For additional information about the State Health Plan, contact your personnel representative, the Bureau of Personnel Division of Benefits at (605) 773-3148, or visit [www.bopweb.com](http://www.bopweb.com).

# ***Health, Life, and Flexible Benefits (cont.)***

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## **Life Benefits**

The State Life Plan offers \$25,000 of basic employer paid term life coverage for employees. In addition to the employer paid coverage, you may purchase additional amounts of supplemental group term life coverage of two to five times your annual salary level to a maximum value amount of \$400,000. If you enroll in supplemental life coverage, you may purchase dependent life coverage of \$10,000 for your spouse and each eligible dependent. For more information, contact your personnel representative.

Employees electing the State Group Supplemental Life Plan will automatically receive a Basic Long Term Care (LTC) benefit. The maximum base benefit is \$36,00 for a 2 year duration at \$1,500 per month.

For more information about life benefits or Long Term Care benefits, contact your personnel representative, the Bureau of Personnel, Division of Benefits, or visit [www.bopweb.com](http://www.bopweb.com).

## **Flexible Benefits Plan**

The Flexible Benefits Plan provides you with an opportunity to reduce your taxes and increase take home pay. You pay for certain benefits and expenses through the plan and reduce your actual cost. The cost saving advantage of the plan is simple, as most premiums paid are tax free.

How the plan works:

1. Tax free deductions are taken out of your gross pay. Each pay period, all tax free premium deductions for benefits you have chosen are taken out of your paycheck before federal income tax and Social Security are calculated.
2. Taxes are calculated on the amount remaining. After all premiums have been deducted, federal income tax and Social Security are calculated on the remainder of your salary.
3. The following benefits and expenses may be purchased tax free:
  - premiums paid for dependent coverage under the state group health plan;
  - dental and vision coverage for you and your eligible dependents;
  - a medical or dependent care spending account where your deposits are computed tax-free. Both accounts work like a checking account. You deposit tax free money into your account each pay period, then you make tax free withdrawals to reimburse yourself as you incur out-of-pocket medical expenses or dependent care expenses;
  - major injury plan for you and your eligible dependents;
  - hospital indemnity plan for you and your eligible dependents; and
4. A short-term disability plan is available for employees on an after-tax basis.

For additional information, contact your personnel representative.

# ***Health Education and Promotion***

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State employees have several opportunities to become more actively aware of their personal health and health-related issues. Since the state is self-insured, health care claims directly affect the amount of dollars which are available for state employees' salaries. Employees play an active role in monitoring and controlling health care costs.

## **Health Screenings**

Health screenings are offered free of charge to state employees and spouses covered by the State Health Plan. Qualified healthcare professionals conduct the screenings. Each screening includes: blood pressure, body mass, total cholesterol, carbon monoxide, HbA1c test, and body mass index.

## **Health Assessment**

State employees and spouses covered by the State Health Plan are to complete a health assessment each plan year. The health assessment helps in identifying chronic conditions and/or risk factors which may lead to serious health conditions.

## **Health and Lifestyle Management Programs**

State employees and spouses have access to a number of programs designed to help identify health risks, manage diseases, improve the quality of self care provided at home, and save on out-of-pocket, co-payment and deductible expenses.

## **Health Rewards and Wellness Program**

**HealthySDEmployees.gov** is a wellness program providing the tools to become more physically fit and healthier. To earn credits, participants set and meet a goal an average of 5 days a week for 3 consecutive months.

## **Ask Mayo Clinic Nurse Line**

The Ask Mayo Clinic Nurse Line provides direct access to reliable health information 24-hours a day. Experienced nurses answer health care questions and assist you in making a better-informed health care decision. Call the Ask Mayo Clinic Nurse Line at 1-877-284-7339.

Other benefits include: an annual flu vaccine for benefited employees and their dependents who are participants in the State Health Plan, discounts at wellness or fitness facilities, and semi-monthly Benefits Newsletter. Members are eligible to receive the Healthwise Handbook, a self-care guide with over 200 common health care problems including: prevention, home treatment, and when to call a health care professional. For additional information, contact the Bureau of Personnel, Division of Benefits at (605)773-3148.

# ***Employee Responsibilities***

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## **Attendance**

Your schedule and hours of work are set by your supervisor. Employees are expected to adhere to hours and schedules set by the supervisor. Breaks are allowed if employees' workload permits. Breaks are not guaranteed and employees must remain available and accessible during breaks to provide for the needs of the department.

## **Change of Address**

It is the employee's responsibility to update any change in a home address or telephone number. Employee's can update changes through Self Evident Applications (SEA) or they may contact their personnel representative.

## **Political Activity**

Career Service employees are prohibited from using their authority to influence or coerce the political action of a person or group of people. Active participation is allowed in political management or in political campaigns except during working hours. Employees may also hold an elective office in political clubs or organizations which does not interfere with the normal performance of job responsibilities, except as prohibited by law. Employees whose positions are partially or wholly funded by federal monies are restricted from political activity by the Hatch Act. Neither state nor federal law prevents activity of a nonpartisan type not specifically identified with a national or state political party. Questions relating to constitutional amendments, referendums, approval of state laws, and other issues of similar character are not deemed specifically identified with a national or state political party. For example, school board elections and many city elections are nonpartisan.

## **Outside Employment**

You may have outside employment provided that, in the opinion of your appointing authority, there is not conflict with your working hours, your work efficiency, or with the interests of state government. You must check with your supervisor before accepting other employment.

## **Travel Reimbursement**

If your job requires you to travel away from your home station, you will be reimbursed for food and lodging in accordance with state rates. For employees who travel, a state identification card will be issued by your personnel representative. For additional information, contact your finance manager or the State Auditor's Office.

## ***Job Announcements***

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When a Career Service position is announced by the Bureau of Personnel, it is announced in one of the following announcement types:

1. **Open/Competitive** - vacancies announced as open/competitive are open to the general public.
2. **Statewide Promotional** - open to all permanent, exempt, or probationary employees of the State of South Dakota.
3. **Department Promotional** - open to permanent, exempt or probationary state employees within the specified department.
4. **Unit-Specific Promotional** - open to permanent, exempt or probationary state employees within a specific classification and/or unit.

Jobs are announced twice weekly. All current announcements are on the Internet at [state.sd.us/jobs](http://state.sd.us/jobs), at your local South Dakota Career Center, or at the Bureau of Personnel.

### **Disability Preference**

Disability preference is extended to individuals qualified for the position who have been certified as having a disability by a state rehabilitation counselor.

### **Veterans' Preference**

Individuals who have served on active duty in the armed forces of the United States and meet the definition of a veteran as defined in SDCL 33-17-2 may be eligible for veterans' preference. Veterans' preference may also be granted to the spouse of a service-connected disabled veteran if the veteran is so disabled that he or she cannot claim the right to veterans' preference. The spouse of a deceased veteran may also be granted veterans' preference if he or she has not remarried. For additional information, contact the Bureau of Personnel.

### **Promotions**

A promotional opportunity may be announced either open/competitive or promotional. To be considered for a promotion, you must submit an application. You may apply for a promotion even if you are still serving your probationary period. For additional information, contact your personnel representative.

## ***Classification System***

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Following a review of the duties, responsibilities, and authority, career service positions are classified within a group of positions of similar nature called a classification. You may request a copy of your class specification from your personnel

representative at the Bureau of Personnel or access class specifications on the Bureau of Personnel's website. As you read your class specification, you may notice that some

## ***Classification System (cont.)***

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of the duties you are assigned are not listed and some duties on the list are not part of your job. This is because a class specification is meant to be descriptive, not restrictive. In other words, the duties listed are only general examples of the work performed by employees in your classification.

If at any time you feel you are consistently performing duties that fit another class specification, you are encouraged to discuss them with your supervisor. To request a review of your position classification, you may submit a completed Position Description Questionnaire (PDQ) to your supervisor who will forward it to your personnel representative. A PDQ form is available on the BOP Intranet website. When the Bureau of Personnel receives the completed PDQ, a personnel specialist will review your position for the appropriate classification. For additional information, contact your personnel representative.

## ***Training***

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The Bureau of Personnel Training Program offers a variety of training courses for all employees. Included are professional development training, computer training, and other work-related training opportunities. The training calendar and registration information are available through BOP Training ([state.sd.us/bop/training](http://state.sd.us/bop/training)) or your personnel representative. For additional information regarding any of the training courses, contact the Bureau of Personnel Training Program at (605) 773-3461.

## ***Performance Planning and Review***

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The state has a formal Performance Planning and Review (PPAR) system for its employees. The overall objective of the PPAR system is to provide an avenue of two-way communication by which employees and their supervisors can discuss mutual expectations, review performance, and plan future goals. For additional information, contact your personnel representative.

## ***Resignation and Retirement***

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If you decide to leave your current state position, **even if it is to accept another position with the State of South Dakota**, you are asked to give your supervisor a written notice of intent at least two weeks prior to the date you plan to leave. However, the state may accept your verbal resignation or written resignation with less than two weeks notice.

## ***Resignation and Retirement (cont.)***

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To be eligible for unreduced retirement benefits, normal retirement age is 65 (age 55 for Class "B" Public Safety members) with at least three years of credited service under the South Dakota Retirement System (SDRS). Your normal retirement date is the first of the month of your 65th birthday. However, there is no mandatory retirement age in state government.

There are several opportunities to retire before your normal retirement date, depending on your age and years of service. The South Dakota Retirement System also provides disability coverage for employees who have three years of credited service or for employees who are accidentally disabled while performing the usual duties of their job. If you cannot work because of a disability that is expected to last one year or longer, you may be eligible to receive a monthly benefit from SDRS.

For additional information regarding your retirement benefits, contact the South Dakota Retirement System.

## ***Disciplinary Action***

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Disciplinary action may include suspension without pay, reduction in salary, demotion, or termination. A status employee may be disciplined for cause at any time or for unsatisfactory performance after a work improvement plan to address performance issues. Before you are disciplined, you will be notified verbally or in writing of the specific reasons for the proposed actions and provided an opportunity to present reasons why you should not be disciplined.

### **Discipline for Cause**

Just cause for disciplinary action includes, but is not limited to:

- violating statutes, rules, policy, directives, and work rules;
- committing any sex offense, any crime involving illegal drugs, or a felony;
- insubordination;
- disrupting the efficiency or morale of the department;
- being under the influence of a controlled drug or alcohol while at work;
- misuse or abuse of leave;
- engaging in outside business or personal activities on government time, or using state property for non-government purposes;
- engaging in conduct that reflects unfavorably on the state, destroys confidence in the operations of state services, or adversely affects public trust in the state;
- poor attendance;
- negligence with state money or property; and
- discrimination and harassment.

These examples indicate the types of conduct that may be cause for disciplinary action, but is not an exhaustive list. If you have specific questions regarding causes for

## ***Disciplinary Action (cont.)***

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discipline or want to review the entire list of causes, contact your personnel representative or review Administrative Rule 55:01:12:05.

### **Discipline for Performance**

If a status employee's work performance is unsatisfactory, the employee will be notified in writing that disciplinary action may be taken unless the employee's performance improves. The employee may be placed on a work improvement plan that will last a minimum of 30 calendar days. The work improvement plan will tell the employee where the employee's performance is unsatisfactory and the level of performance that is expected. If the employee's performance does not improve to an acceptable level, or at a later date performance falls below standard, disciplinary action may be taken. Employees may be disciplined for just cause during the work improvement period.

## ***Appeals and Grievances***

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A career service employee may appeal disciplinary actions, a layoff, or his or her classification. A career service or probationary employee may appeal on the grounds of discrimination or may appeal the misinterpretation, misapplication, or violation of any existing agreement, contract, policy, or rule, excluding overtime pay issues, as they apply to the conditions of employment.

Most departments, bureaus, and institutions have adopted a formal grievance procedure to handle complaints by Career Service employees. Departments, bureaus, or institutions that do not have their own grievance procedure use the procedure outlined in the Bureau of Personnel rules. A current copy of the grievance procedure for your agency may be obtained from your personnel representative.

The grievance procedure provides an equitable method of resolving employee complaints. Rules prohibit retaliation against an employee who submits or is involved in a grievance. A grievant who fails to comply with the timeframes outlined in the grievance procedure will have his or her grievance dismissed. If you voluntarily terminate your employment, your grievance will be withdrawn.

After an employee has exhausted the grievance procedure established by the employee's department, bureau, or institution, the employee may appeal to the Career Service Commission, where the employee will have an administrative hearing on the grievance. The appeal and grievance process is not available to exempt employees.

# ***Policies***

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The following are selected statewide policies and are not an exhaustive list of all policies. The state reserves the right to change or eliminate these policies with or without notice. Please be aware that your agency may have more restrictive policies or guidelines on the same subject matter and additional policies on different subjects. Please contact your personnel representative if you have any questions about your agency's policies or guidelines.

## ***Arrest Policy***

Any employee who has been arrested or charged with or has reasonable knowledge to believe they will be arrested or charged with: 1.) any felony; or 2.) any crime (including misdemeanors) involving a sex offense or illegal drugs or illegal use of legal drugs shall immediately report this information to his or her supervisor. The supervisor is required to immediately report this information, through the chain of command, to the appropriate department secretary, bureau commissioner or institution administrator who shall report it to the Commissioner of the Bureau of Personnel.

## ***Drug and Alcohol Testing Policy***

The State has implemented a drug testing procedure for applicants and employees in 1) safety sensitive positions and 2) positions requiring a commercial driver's license.

Under state law, a safety sensitive position is any law enforcement officer authorized to carry firearms and any custody staff employed by any agency responsible for the rehabilitation or treatment of any adjudicated adult or juvenile. State statutes and administrative rules govern the drug testing of persons in safety sensitive positions, and these statutes and rules may be obtained from your agency's personnel representative.

Federal law requires drug and alcohol testing of applicants and employees who must have a commercial driver's license (CDL) to perform their jobs. The State has implemented an alcohol and drug-testing program for CDL holders and has published a CDL drug-testing handbook and policy entitled "State of South Dakota CDL Policy, Rules and Educational Information." Your agency's personnel representative can answer questions about the program and provide you with a copy of the handbook and policy.

Other employees may be tested for drugs and alcohol if the test does not violate federal or state law.

## ***Seat Belt Policy***

South Dakota Law 32-38-5 states that all front seat occupants will wear seat belts. This law became effective January 1, 1995. In addition to the state law, Executive Order 88-7 requires all state employees who are driving or are passengers in state-owned vehicles covered by the state's automobile liability insurance policy to wear seat belts, both in the front and back seats.

## ***Policies (cont.)***

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### ***Solicitations on State Premises***

It is the policy of the state of South Dakota that commercial vendors may not solicit business on state property or solicit state employees during working hours. Working hours include breaks and lunch periods if the employee is on state grounds.

Subject to prior approval by management, employees may solicit for charitable purposes using their own time by adjusting their work week to make up the time or by using vacation leave or leave without pay. Activities should be scheduled so that the soliciting employee does not interfere with co-workers' performance. Agency personnel representatives will not assume responsibility for coordination of charitable activities.

Please contact your personnel representative if you have any questions regarding this policy.

### ***Drug Free Workplace Policy***

The State of South Dakota has a drug free workplace policy for all state employees. As a condition of your employment with the state, you must agree to abide by the terms of this policy.

The dangers of drug abuse in the workplace include accidents and injuries; reduced productivity; absenteeism and increased health care costs; loss of public confidence in the State; and adverse effects on the abuser, family, friends, co-workers, and persons receiving services from the State.

The policy prohibits the unlawful manufacture, dispensation, possession, or use of a controlled substance by an employee in the workplace. If you are convicted of a violation of a criminal drug law or admit in court to a criminal drug law violation, you will be subject to appropriate disciplinary action, which includes termination. You must comply with the arrest policy if you are arrested, charged, or believe you may be charged with any crime involving illegal drugs.

### ***Technology Use Policy***

Employees shall use state technology (telephones, computers, Internet, email, etc.) at their disposal in an appropriate manner. As it applies to the state's e-mail and phone system(s), emergency communications are allowed. Reasonable and appropriate personal communications are allowed. Under no circumstances are employees allowed to use the state's technology to engage in outside business interests, inappropriate, offensive, or illegal activities. Abuse of the system is not acceptable. Employees should not expect privacy or confidentiality when using state resources. Use common sense. If in doubt, do not use state resources.

## ***Policies (cont.)***

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### ***Inclement Weather Policy***

Non-essential state employees will receive inclement weather pay when:

1. Adverse weather results in local law enforcement agencies prohibiting local travel and the work site is closed. This applies only to travel prohibitions within the city limits where a state office is located and is only for the time during which travel is prohibited. Travel advisories, including local advisories, and the closure of interstates and secondary highways are not considered to be a prohibition on local travel. If travel is not prohibited and an employee is unable to reach the work site or wants to leave the office early due to inclement weather, the employee must use vacation leave, leave without pay, or adjust working hours during the remainder of the work week.
2. The work site is closed because the state does not control access to the work site.

Because state government cannot close completely and must continue to provide emergency services, coordinate government responses to disasters, and care for citizens who are entrusted to our institutions, essential employees will always be expected to deliver service. Essential employees are those employees requested by management to work during a period of inclement weather. We will do whatever possible to accommodate employees to the best of our ability, however, we do need to maintain adequate staffing to ensure the safety of our citizens and continue state operations.

This policy does not mean employees should take undue risks during inclement weather. Employees who believe they cannot safely reach the worksite or travel home at the end of the scheduled work day should make arrangements with their supervisor to be absent from work.

The Governor will determine whether state government offices in Pierre will be staffed and will notify local radio stations. Cabinet members will work with the Governor's Office to determine if offices outside of the Pierre area will be closed. Employees who are unsure if the work site is open must contact their supervisor prior to the start of their shift.

## ***Policies (cont.)***

### ***Inclement Weather Policy (cont.)***

#### **Eligibility for Inclement Weather Pay**

- Employees who did not work during the period their office was closed will be paid for their normally scheduled shift.
- Employees who worked during the time their office was closed will be paid for their hours worked, but will not receive both inclement weather pay and hours worked. Sufficient hours to make up the normally scheduled work day, however, will be paid. For example, if an employee worked five hours, and the employee's normal work day was eight hours, the employee would receive pay for five hours worked and three hours of inclement weather pay.
- Employees will not receive inclement weather pay in excess of the scheduled shift or more than 40 hours per week.
- Only permanent employees are eligible for inclement weather pay. Seasonal and temporary employees are not eligible for any paid leave including inclement weather pay.
- Only employees who were scheduled to work during the inclement weather period are eligible for inclement weather pay. Employees who were on any type of approved leave may not change hours to inclement weather pay.
- Inclement weather pay will be granted only for the number of hours the work location was closed, not to exceed the number of hours for which the employee was scheduled to work.
- Permanent employees with hire dates on the date of office closings will be paid inclement weather pay.
- Employees who telecommute or who have state equipment to work from home will be expected to work from home and will only be eligible for inclement weather pay if their equipment is not operational or if work is not available at an alternate site.

#### **Inclement Weather Pay for Salaried Employees**

- Salaried employees who work during a period of office closings must record their hours worked on the proper day. Only hours worked should be recorded on the time sheet if a salaried employee worked. Salaried employees will not be allowed to adjust hours worked during periods of office closings or take the hours off on an alternate day.
- Salaried employees who were absent for their entire scheduled shift should record the number of hours of inclement weather pay granted for their shift.

## ***Policies (cont.)***

### ***Court and Jury Leave Policy***

Employees in permanent positions are eligible for court and jury leave. The employee shall immediately notify the employee's supervisor if the employee expects to be absent from work due to court and jury obligations. Absences will be administered as follows:

**(1) Testifying in official capacity.** If the employee is subpoenaed by either party to testify in any civil or criminal proceeding because of the employee's official capacity or is instructed by the supervisor to testify in an official capacity without being subpoenaed, the employee shall receive the employee's regular salary without loss of leave credits and may receive actual expenses according to state rates, but may not receive witness fees. The appointing authority and the bureau of personnel shall determine if the employee is testifying in an official capacity.

**(2) Subpoenaed to testify in non-official capacity.** If a state employee is subpoenaed to testify in court in a non-official capacity and is not a party to the case, the employee shall receive the employee's regular salary from the state without loss of leave credits for the time spent testifying during regular working hours and may receive, in accordance with SDCL 19-5-1 or any comparable federal law, witness fees and mileage from the party who issued the subpoena. However, the employee may not take court and jury leave for travel time or time when the employee is not reasonably expected to testify regardless of whether the employee has been subpoenaed for that period of time. If the employee is absent from the workplace while not testifying, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.

**(3) Party or witness not subpoenaed to testify.** If an employee is a party to or witness who has not been subpoenaed, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.

**(4) Service on jury.** If a state employee is summoned to serve on a jury, the employee shall receive the employee's regular salary without loss of leave credits for the time spent on jury duty during regular working hours and the per diem and mileage provided for by SDCL 16-13-46 or any comparable federal law.

The commissioner may decide any question as to whether an employee is eligible for court and jury leave.

## ***Policies (cont.)***

### ***Anti-Harassment Policy***

The State of South Dakota will not tolerate harassment or offensive behavior based on race, color, religion, national origin, sex, age, or disability.

Harassment includes conduct that creates a hostile work environment or results in a "tangible employment action," such as hiring, firing, promotion or failure to promote, demotion, work assignments, or compensation decisions. This prohibition against harassment also encompasses sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually harassing nature, when: (1) submission to the harassment is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the harassment is used as the basis for employment decisions affecting an individual, or (3) the harassment has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Employees must not engage in harassment or offensive behavior. Additionally, because of the State's strong commitment to keeping the workplace free from harassing and offensive behavior, employees must avoid any conduct that could be viewed as harassing or offensive even if the conduct does not violate federal or state law or constitute harassment.

Harassment or offensive behavior may take different forms and may be verbal, non-verbal, or physical in nature. To aid employees in identifying inappropriate conduct, the following examples of harassment or offensive behavior are provided (these examples are not all-inclusive):

- ◆ unwelcome physical contact such as kissing, fondling, hugging, or touching; demands for sexual favors; sexual innuendoes, suggestive comments, jokes of a sexual nature, sexist put-downs, or sexual remarks about a person's body; sexual propositions, or persistent unwanted courting;
- ◆ swearing, offensive gestures, or graphic language made because of a person's race, color, religion, national origin, sex, age or disability;
- ◆ slurs, jokes, or derogatory remarks, email, or other communications relating to race, color, religion, national origin, sex, age, or disability; or
- ◆ calendars, posters, pictures, drawings, display, cartoons, images, lists, e-mails, or computer activity that reflects disparagingly upon race, color, religion, national origin, sex, age or disability.

An employee who has a complaint of harassment or offensive behavior by anyone, including supervisors, co-workers, or non-employees, should immediately notify his or her supervisor, a higher-level supervisor, the agency's personnel representative, or the EEO officer for the Bureau of Personnel at (605) 773-3148.

## ***Policies (cont.)***

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### ***Anti-Harassment Policy (cont.)***

The person who receives a harassment complaint shall immediately report the matter to his or her supervisor (or a higher-level supervisor if his or her supervisor is allegedly involved in the harassment) and the agency's personnel representative.

The State will investigate all complaints. If the investigation supports charges of harassment or a violation of this policy, appropriate corrective action against the alleged harasser will take place immediately and may include disciplinary action up to and including termination.

The State will protect the confidentiality of harassment allegations to the extent possible, and information about alleged harassment will only be shared with those individuals who need to know about it. While the State cannot guarantee complete confidentiality since it cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses, it will keep information as confidential as possible.

The state will not tolerate adverse treatment of employees because they report harassment, oppose discrimination in the workplace, participate in the complaint process, or provide information related to complaints. If an employee feels that he or she has been subjected to retaliation, the employee should immediately report the alleged retaliation to his or her supervisor, a higher-level supervisor, the agency's personnel representative, or the EEO officer for the Bureau of Personnel.

In addition to reporting alleged harassment to the State, an employee may file a charge of discrimination based on race, color, religion, national origin, sex, disability, or protected activity with the South Dakota Division of Human Rights (Human Rights) or may file a charge of discrimination based on race, color, religion, national origin, sex, age, disability, or protected activity with the United States Equal Employment Opportunity Commission (EEOC). A charge of discrimination based on race, color, religion, national origin, sex, disability, or protected activity must be filed with Human Rights or with the EEOC within 300 days of the violation. A charge of age discrimination must be filed with the EEOC within 180 days of the violation. These deadlines run from the last date of unlawful harassment and not from the date the complaint to the State is resolved.

Please contact the EEO officer for the Bureau of Personnel at (605) 773-3148 if you have any questions about harassment or this policy.

## ***Policies (cont.)***

### ***Bomb Threat Policy***

The following is an excerpt from the Bureau of Administration's Bomb Threat Policy. Please contact your supervisor if you would like to review the entire policy.

The following policy and procedure was developed to provide direction in a time of crisis. The outline will assist the contacted individual to take the necessary steps in getting the affected employees to safety as soon as possible, and to contact the appropriate administrative and security agencies and provide them with the most detailed information possible regarding the bomb threat.

This document should be posted in a conspicuous place within each of the various offices and divisions. The below policy is the official policy to be followed in the event that a bomb threat is received.

This document is self-explanatory; however, persons within the office should be made aware of its location and be directed to read it.

#### **SOUTH DAKOTA BOMB THREAT POLICY**

THE RECIPIENT OF A BOMB THREAT SHOULD TAKE THE FOLLOWING ACTION:

1. TAKE INFORMATION
2. IF LESS THAN 20 MINUTES USE FIRE ALARM SYSTEM TO EVACUATE AND NOTIFY LAW ENFORCEMENT (INDICATE NOT A FIRE)
3. IF MORE THAN 20 MINUTES NOTIFY A SENIOR STAFF PERSON IN YOUR OFFICE
4. THAT SENIOR STAFF PERSON MUST NOTIFY LAW ENFORCEMENT AND EVACUATE BUILDING
5. SENIOR STAFF PERSON IS RESPONSIBLE FOR NOTIFYING ALL STATE AGENCIES WITHIN THREATENED BUILDING TO EVACUATE
6. NOTIFY DEPARTMENT HEAD, NATIONAL GUARD, AND GOVERNOR'S OFFICE OF THREAT

### ***Office Environment Policy***

#### **I. PURPOSE STATEMENT**

The Bureau of Administration has adopted a number of recommended operational procedures and standards for the promotion of a safe, efficient, professional and clean office environment operated by the Executive Branch. This policy applies to State-owned facilities. Department Secretaries and agency leaders are encouraged to adopt these policies in their State-owned and leased facilities in order to maintain uniformity in the workplace:

# ***Policies (cont.)***

## ***Office Environment Policy Cont.***

### **II. PURPOSE STATEMENT**

The Bureau of Administration has adopted a number of recommended operational procedures and standards for the promotion of a safe, efficient, professional and clean office environment operated by the Executive Branch. This policy applies to State-owned facilities. Department Secretaries and agency leaders are encouraged to adopt these policies in their State-owned and leased facilities in order to maintain uniformity in the workplace:

### **III. GUIDELINE RECOMMENDATIONS**

**1. Display/Hanging Items.** Papers, post-it notes, maps, jokes, pictures, or any other item which are posted, taped, pinned, or hung on the outside of cubicle wall panels or in any systems furniture corridor or in any major hallway are discouraged. Agency posters should be framed and may be hung in the office areas if approved by the respective Department Secretary. Agencies may issue additional rules regulating what items may be displayed or hung inside cubicles. For safety reasons, holiday decorations using electricity or live Christmas trees are not allowed. Holiday decorations may not block hallways, impede walkways, or restrict access to fire escapes. The State is not responsible for personal items or decorations brought into the office.

**2. Plants and Above-Panel Storage.** No office items should appear above the general eye level of the office panel tops. Houseplants and storage or display of items on top of file cabinets, binder or storage bins, or panels are strongly discouraged. Plants which are over-watered can cause electrical or fire hazards, as well as damage to equipment. Plants are allowed but may not be hung from the ceiling or be placed near electrical equipment or on top of systems furniture file cabinets or binder bins.

**3. Signs.** The Bureau of Administration is responsible for all interior and exterior signs (on the Pierre campus) and will furnish standard cubicle nameplate signs for each employee, if requested.

**4. Permanent and Exterior Walls/Office Walls.** Only framed and matted photos, certificates or artwork may be hung on permanent walls, exterior walls and office walls as approved by the Department Secretary. In order to avoid coming in contact with plumbing or electrical wiring, agencies should consult with Buildings and Grounds (773-3344) BEFORE mounting anything on the walls. Agencies may request that the items be hung by Buildings and Grounds staff as time permits.

**5. Coffeepots/Electrical Appliances/Candles.** Because of electrical

limitations in office environments, individual microwave ovens, toasters and other appliances are not permitted in an individual's cubicle space. The use

## ***Policies (cont.)***

### ***Office Environment Policy Cont.***

of small appliances such as "office" coffeepots, microwaves, small refrigerators, and toasters is allowed provided electrical circuits are available, but they must be located in common areas. Contact Buildings and Grounds (773-3344) for information prior to use of electrical appliances. For safety reasons, portable electric heaters, candle warmers and candles are expressly prohibited in State Office space. Portable electric heaters, candle warmers and candles will be removed by Capitol Police or custodians.

**6. Hallways.** For safety reasons, no furniture, file cabinets, chairs, bookcases, or other items may be stored or used in any corridor or hallway, and under no circumstances may fire exits be blocked.

**7. Records Management.** In order to keep the number of file cabinets to a minimum and also to keep office files current, employees are asked to periodically review files in accordance with their established records retention schedule. Records Management (773-3589) will assist agencies with all records management needs.

**8. Facilities Planning Team (FPT).** Agency remodeling or office staff move requests must be planned and organized through the Facilities Planning Team. The Team meets every Wednesday morning and consists of representatives from every agency who will be involved with the moving of phone lines, computers, systems furniture, construction and remodeling needs. All agencies are required to appoint an "agency contact" who coordinates with the Facilities Planning Team for move or remodel projects. Phone: 773-3688.

**9. Office Carpet Standards.** When remodeling state office space, the Bureau of Administration currently utilizes a standard carpet weight, fabric, weave, and color combination. The use of standardized carpeting has been carefully evaluated in terms of pattern wear, durability, ease of maintenance, quality, and appropriateness to the work area. Limited carpet selections are on contract and available to agencies. Buildings and Grounds (773-3344) will provide available contract carpet samples as requested. All agency personnel who work at a desk, must have a chair mat.

**10. Office Paint Standards.** When remodeling State office space, the Bureau of Administration uses a standard paint color, C2 (off white). Other selections may be available to agencies, depending on the location, public access, and agency mission. Department Secretaries and selected conference rooms may use wallpaper or any color of paint selected as long as it is in keeping with a professional work environment. Agencies will be required to pay for wallpaper and non-standard paint.

**11. Technical Conference Facilities.** Conference rooms which include DDN, plasma screens, projectors, internet conferencing, video equipment and

## ***Policies (cont.)***

### ***Office Environment Policy Cont.***

Other technical gear must be designed and installed by BIT at agency expense. Contact BIT for further information.

**12. Recommended Space Allocations.** Based on research provided by the Federal General Services Administration (GSA), several office furniture space consultants, and data within the Bureau of Administration, the following space guidelines are recommended for State agencies in State-owned and leased spaces:

#### **Bureau of Administration WORKPLACE STANDARDS**

<b>Job Description</b>	<b>Maximum Space Allowed</b>	<b>Office Type</b>
Constitutional Officer	200 sq. ft.	Private
Elected Official	200 sq. ft.	Private
Cabinet Secretary	200 sq. ft.	Private
Deputy Secretary	125 sq. ft.	Private
Division Director	125 sq. ft.	Private
Executive Director	125 sq. ft.	Private
Program Director	80-100 sq. ft.	Private*/EWS
Program Administrator	80-100 sq. ft.	Private*/EWS
Legal Professional	80-100 sq. ft.	Private*/EWS
Professional	64-80 sq. ft.	WS/EWS* Private
Administrative / Clerical	56-64 sq. ft.	WS
Intern / Frequent Traveler	36-56 sq. ft.	WS
Word Processing Pool	36-48 sq. ft.	WS
Private*- Private Office allowed IF building design and layout permits		
EWS - Executive Work Station IF building design and layout permits		
WS - Standard Work Station		

**Note:** Space size may vary somewhat, depending on the building construction, layout, and design. Agencies may request 8% additional space (based on number of approved FTE's) when remodeling or moving.

## ***Policies (cont.)***

### ***General Reference Policy***

#### **References for Employers Outside of State Government**

One person in the agency, typically the personnel representative, is designated to respond to all requests for information on current and former employees (including interns). More than one person may be designated to provide responses to requests; however, person(s) responding should be the personnel representative or someone at a managerial level within the agency such as program directors, division directors or department secretaries. If two or more people are responding to requests, the personnel representative should coordinate the response.

According to state law, written references given in response to written requests are presumed to be given in good faith. This means if a former employee files a lawsuit regarding giving of bad references, the agency can rely on a defense of good faith if the reference was in writing. Telephone inquiries are answered by telling the caller that it is the policy of the state to respond only to written requests. Written requests should be accompanied by an authorization, release, and waiver.

Employees must not give references on inmates or former inmates. These references must be handled by the appropriate person at the Department of Corrections.

#### **References within State Government**

If a reference request comes from another state agency, the designated person may respond either in writing or over the e-mail system. A signed authorization, release and waiver is not necessary. All other guidelines apply to giving references within state government.

### ***Workplace Safety Policy***

It is the policy of the State of South Dakota to promote a safe environment for its employees. The State is committed to working with our employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and other disruptive behavior that affect the working environment will not be tolerated. All reports of such incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, expressions or any other behavior that communicates a direct or indirect threat of physical harm or damage to state or personal property,

## ***Policies (cont.)***

### ***Workplace Safety Policy (cont.)***

either on duty or off-duty. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

All employees shall cooperate to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by any state employee on or off state premises, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports shall contact the agency personnel representative or the Bureau of Personnel at (605) 773-3148. Severe threats or assaults that require immediate attention shall be reported to police by calling 911.

### ***Alternative Work Schedule Policy***

It is the goal of the state of South Dakota to provide employees with a work environment that allows them to balance work and life activities. As an employer, the State recognizes the need for flexibility in scheduling to provide employees the opportunity to participate in family and community activities. To achieve this goal, employees and supervisors are encouraged to use alternative work schedules. Alternative work schedules will enable managers to meet their program goals and provide better customer service while, at the same time, allowing employees to be more flexible in scheduling their personal activities.

#### **Alternative Work Schedules Available:**

**Flexible work schedule:** With supervisory approval, employees may select alternative starting and stopping times during the workweek. The starting and stopping times and the lunch period are fixed for the duration of the flexible schedule unless the supervisor discontinues or temporarily suspends the flexible work schedule. Salaried employees on a flexible work schedule may be required to work additional hours or adjust their schedule to meet the requirements of their position.

**Permanent reduced work schedule:** With supervisory approval, hourly and salaried employees may reduce the number of hours worked each week. Employees on a reduced work schedule will be considered permanent part-time employees and will earn less leave and pay based on the reduced number of hours worked. If employees work less than 20 hours per week, they are not entitled to health, life, or retirement benefits. This is a permanent schedule and is not intended for seasonal fluctuation.

**Flex time:** With supervisory approval, employees may occasionally modify their daily work schedule. Adjustments may be made at any time to allow employees flexibility in their schedule during the week. Hourly employees must make up hours flexed at a different time during the work period. Hourly employees who

## ***Policies (cont.)***

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### ***Alternative Work Schedule Policy (cont.)***

are unable to make up hours flexed during the work period must take either paid or unpaid leave. Salaried employees may not flex an entire day.

**Compressed work schedule:** With supervisory approval, full-time hourly and salaried employees may work their normally scheduled number of hours each work period in less than 5 days. Examples are four 10-hour days or four 9-hour days and one 4-hour day. Since full-time employees are entitled to a maximum of 8 hours for a holiday, hourly employees working a compressed workweek may be required to adjust their workweek or take paid or unpaid leave during a work period that includes a holiday. Salaried employees must have a set schedule and take leave for any day in which they will be absent during all scheduled hours regardless of the number of hours worked during the week. Salaried employees on a compressed work schedule may be required to work additional hours or adjust their schedule to meet the requirements of their position.

**Work Adjust:** Work adjust is adjusting hours for work performed outside the normal work schedule to meet the requirements of the agency. Work adjust is intended for short-term changes to an employee's schedule to meet workload requirements. Work adjust applies to hourly employees and is not appropriate for salaried employees.

#### **Eligibility for Alternative Work Schedules:**

Supervisors will work with employees and attempt to accommodate their scheduling requests. Alternative work schedules, however, may not be available to every employee at any time because of customer service requirements. If alternate work schedules are not possible, the supervisor should explain why the request for an alternative work schedule cannot be honored.

#### **Guidelines:**

Principal administrative offices will be open during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, including the noon hour. Service to both internal and external customers must be maintained or improved.

Rest periods are a normal part of the work schedule and cannot be accumulated or be included as a basis for a flexible work schedule. A lunch break of at least 30 minutes of uninterrupted time is recommended.

#### **Responsibilities:**

Teamwork among employees and agency management is an important factor in implementing alternative work schedules and achieving positive benefits associated with alternative work schedules. Meaningful work must be available for the employee during the entire alternate work schedule. Supervisors and employees are mutually responsible for ensuring successful alternative work scheduling programs.

## ***Policies (cont.)***

### ***Alternative Work Schedule Policy (cont.)***

Supervisors shall:

1. Ensure adequate, not minimal, staff is available to serve the needs of the public. Both internal and external “customer” needs will be considered to determine adequate staffing.
2. Ensure that alternative work schedules are administered consistently and equitably.
3. Ensure alternative work schedules do not cause or contribute to the need for additional staff or overtime work.
4. Ensure work that requires regular supervision or essential interaction with other staff is scheduled when supervisors and interacting staff are available.
5. Ensure the work site has adequate supervisory and management coverage at all times.

Employees shall:

1. Plan and organize their time to meet the job requirements established by the supervisor. This includes answering your phone during all alternative work hours.
2. Participate in the resolution of conflicts between the job and the alternative work schedule and inform the supervisor when coverage is not adequate.
3. Be able to meet workload requirements and be available for scheduled conferences and meetings. The requirements of the job always take precedence over the alternative work schedule.
4. Not engage in excessive socializing prior to the beginning of their workday when employees are already engaged in their work schedule. This can be disruptive to the work patterns of employees with earlier starting times.
5. Record actual hours worked for each day on the time form.

#### **Procedures for Requesting an Alternative Work Schedule:**

A Request for an Alternative Work Schedule (AWS) form must be completed by the employee and submitted to the supervisor for approval if the employee wants to participate in a flexible work schedule, a permanent reduced work schedule or a compressed work schedule. A copy of this form should be sent to your Human Resource Manager to be placed in the employee’s personnel file. A form is not required to participate in occasional flextime.

#### **Changes to Work Schedules:**

Alternative schedules do not alter the responsibility and authority of supervisors to establish and change work schedules without prior notice. Supervisors may discontinue or temporarily suspend alternative work schedules when necessary. Alternative work schedules may also be altered if work needs change or if service is impaired.

To ensure an opportunity for all employees to request an alternative work schedule and to ensure the schedule remains workable for the employee and the agency, requests for flexible work schedules, permanent reduced work schedules, and

compressed work schedules will be submitted and reevaluated at least every six months.

## ***Policies (cont.)***

### ***Alternative Work Schedule Policy (cont.)***

A Request for an Alternative Work Schedule (AWS) form can be found at [http://bop.sd.gov/forms/req\\_alt\\_work\\_sch.pdf](http://bop.sd.gov/forms/req_alt_work_sch.pdf).

Please contact your agency human resource manager if you have questions relating to the alternative work schedule policy.

### ***State Employee Bloodborne Pathogen Procedures - Short Guide***

A Significant Bloodborne Exposure is an occupational risk exposure to blood or potentially infectious body fluid by:

1. needle stick, puncture or cut by an object through the skin
2. direct contact of mucous membrane (eyes, mouth, nasal, etc)
3. exposure of broken skin to blood or other potentially infectious body fluids such as:
  - semen
  - vaginal secretions
  - any body fluid visibly contaminated with blood
  - human tissues (including dental extractions)

#### **Employee's Immediate Responsibility**

If a Significant Exposure Occurs:

##### **“Immediately”**

- Needle-sticks, Cuts & Skin Exposures should be washed with Soap & Water. (*Do NOT use bleach*)
- Splashes to the Nose, Mouth, or Skin should be flushed with Water.
- Splashes to the Eyes should be flushed with Clean Water or Saline.

##### **“After” the Above Steps are Completed**

- **Report** the Exposure to your Immediate Supervisor Right Away “Do Not Delay”  
If HIV Post-Exposure Treatment is recommended, you should start treatment within **1-2 hours** after the exposure. (*This can reduce HIV infection by up to 79%*)

#### **Supervisor's Immediate Responsibility**

- **Without Delay** – If a significant blood borne exposure has occurred, get the exposed individual to the nearest Emergency Room for evaluation.
- **Testing the employee and the source is strongly recommended when a high risk exposure has occurred.** The employee has the right to request or decline testing. The source fluid/object should be collected (if possible) for testing. If the source is a person, they cannot be tested without consent, except under the

circumstances described in SDCL 23A-35B (laws dealing with sexual assault and exposure to law enforcement personnel). The exposure to the employee should be explained to the source and testing of the source requested.

## ***Policies (cont.)***

### ***State Employee Bloodborne Pathogen Procedures - Short Guide (cont.)***

- **Complete a First Report of Injury and Accident Report** for all bloodborne pathogen exposures. This form must be completed and filed with the Workers Compensation office/Bureau of Personnel within seven (7) days of the exposure/incident. An official written report is necessary for reporting the incident and to claim worker's compensation benefits for initial treatment and post exposure testing. If testing is declined, this should also be reported.
- **Consult the comprehensive "Bloodborne Pathogens Exposure Guidelines"** for the complete policy, testing, and forms required for this event. These guidelines may be found in your department's safety manual, from your Human Resource Manager, Risk Management Contact, or from the Department of Health.
- **Ensure that the employee complete any follow up testing required in the comprehensive guidelines.** The Department of Health at 1-800-592-1861 can provide you with the guidelines, additional information, assistance, and guidance.
- **Report exposure to your next level supervisor.**

#### **Healthcare Provider's Responsibility**

- Determine the nature & severity of the exposure.
- Evaluate source patient (if information is available).
- Counsel/treat exposed employee as applicable.
- Also, evaluate employee for Hepatitis B & C as applicable.

**Time is critical with this exposure. Know what you are going to do before an exposure occurs. When in doubt ... Report the exposure right away and seek guidance.**

### ***Use of Video or Still Cameras by State Employees in the Work Place***

**Purpose:** The purpose of this policy is to set out the allowable uses of video and still photography by state employees and to protect the right of privacy of patients, inmates, coworkers and the public.

#### **State Owned Cameras for Authorized uses:**

Employees are allowed to use state owned video or still cameras (including picture phones) when authorized as part of their job duties. Such usage should be with the knowledge and consent of the employee's supervisor.

#### **Personal Cameras at Work:**

Personal video or still cameras may be used to commemorate awards, retirements or similar events when authorized by the employee's supervisor or department head.

## ***Policies (cont.)***

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### ***Use of Video or Still Cameras by State Employees in the Work Place (cont.)***

The use of personal video or still cameras, (including picture phones) by state employees at work for any other purpose is prohibited.

**Other prohibited uses:**

The use of any video or still cameras (including picture phones) is prohibited by state employees while at work for any of the following purposes:

1. As part of or in furtherance of any illegal activity.
2. For recording any image which is lewd, obscene, or pornographic.
3. For taking any image of any patient, inmate, or other person without their express written consent unless taken for an authorized purpose within the scope of the employees duties.
4. Any purpose that reflects unfavorably on the state, destroys confidence in the operation of state services, or adversely affects the public trust in the state.

### ***Tobacco Free Environment Policy***

The State of South Dakota is dedicated to providing a healthy, comfortable, and productive environment for employees, clients, and visitors.

Effective May 31, 2006, smoking and the use of all tobacco products will be prohibited on all real property or portions thereof owned by the Executive Branch of state government under the direction and control of the Governor and all real property leased by the state where the state is sole occupant.

This policy applies to employees and visitors, and includes all vehicles, parking lots, and walkways leading into state buildings throughout South Dakota. The following are exceptions: patients and residents at the Human Services Center in Yankton, clients at the State Developmental Center in Redfield, residents of the State Veteran's Home in Hot Springs, visitors to campsites in state parks, and upon state highways and outdoors at state highway rest stops. The Bureau of Administration and/or appropriate Department Secretary may grant limited exceptions for specific, special events.

Enforcement of this policy is the shared responsibility of all Executive branch personnel. All employees are encouraged to communicate this policy with courtesy, respect, and diplomacy. Incidents of smoking and/or tobacco use by employees will be documented for supervisor follow-up.

# ***Risk Management***

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A part of the Bureau of Administration, the Office of Risk Management focuses on protecting the state's assets and resources by identifying exposures to loss and providing alternative methods to finance, transfer, reduce, or eliminate those losses. The office provides the following services: developing safety and loss control programs, conducting loss control audits, educating through seminars and assistance information, and negotiating insurance coverages.

Each agency and institution has a risk management contact and a loss control committee to direct risk management efforts. Requests for training and other technical assistance from the Office of Risk Management are made by the contact.

Managed by the state risk manager, the Public Entity Pool for Liability (PEPL) Fund is a funded self-insurance program which provides coverage for general liability, law enforcement liability, public officials errors and omissions liability, automobile liability, and some medical malpractice liability.

The coverage extends to all current and former employees and elected and appointed officers of the state and applies to any accident, act, error, omission or event during the coverage period which results in damages and arises within the scope of the employee's duties for the state.

There are, however, limits to the state's coverage. For example, the state does not pay for injuries covered by other insurance; does not pay when agencies or employees were not legally responsible to prevent accidents; does not cover liability arising out of the employee's willful and wanton misconduct including but not limited to reckless disregard for the safety of others and intentional disregard of a duty under laws, rules, policies, or regulations the employee is governed by; and maintains a limit of \$1,000,000 per occurrence.

When state employees are driving state vehicles on state business, they are covered by workers' compensation. Non-state employees who are on official business for the state are covered by automobile liability through the PEPL Fund. Liability to other persons for bodily injury or property damage due to negligence in operating state vehicles is also covered through PEPL. Belongings in the vehicle are not insured by the state. When employees use their personal vehicles, their automobile insurance policy provides coverage for physical damage, loss, or liability. Both the workers' compensation and personal property coverages are the same as when operating a state vehicle. In situations where the loss exceeds personal policy limits, the state will cover the excess liability under certain terms of the PEPL agreement.

State employees are expected to promptly and properly report accidents, incidents, unsafe conditions, as well as claims made against the State of South Dakota. All accidents involving a fatality, serious bodily injury, or serious property damage should immediately be reported to Claims Associates, Inc., the state's claims adjusting service, at their 24-hour emergency number, 1-888-430-2249. All accident reporting information is located in the glove compartment or other convenient place in every state vehicle. If you have any questions regarding the above information, please contact the Office of Risk Management at (605) 773-5879.